

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: No. 06-09872  
CAMPBELL TIU CAMPBELL, INC., )  
Debtor. ) Chapter 7  
Honorable Jacqueline P. Cox )

**COVER SHEET FOR SECOND AND FINAL APPLICATION OF  
FRANK/GECKER LLP, COUNSEL TO FRANCES GECKER, CHAPTER 7 TRUSTEE  
OF THE BANKRUPTCY ESTATE OF CAMPBELL TIU CAMPBELL, INC., FOR  
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Name of Applicant: Frank/Gecker LLP

Authorized to Provide Professional Services to: Frances F. Gecker, Chapter 7 Trustee of the Estate of Campbell Tiu Campbell, Inc.

Period for Which Compensation is Sought: October 1, 2007 through September 20, 2011

Amount of Fees Sought: \$ 1,416.50

Amount of Expense Reimbursement Sought: \$ 91.30

This is a: Second and Final Application

The aggregate amount of fees and expenses *paid* to the Applicant to date for services rendered and expenses incurred herein is: \$54,981.45.

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|                              |   |                             |
|------------------------------|---|-----------------------------|
| In re:                       | ) | No. 06-09872                |
|                              | ) |                             |
| CAMPBELL TIU CAMPBELL, INC., | ) | Chapter 7                   |
|                              | ) |                             |
| Debtor.                      | ) | Honorable Jacqueline P. Cox |
|                              | ) |                             |

**SECOND AND FINAL APPLICATION OF FRANK/GECKER LLP AS COUNSEL TO  
FRANCES GECKER, CHAPTER 7 TRUSTEE OF THE BANKRUPTCY ESTATE OF  
CAMPBELL TIU CAMPBELL FOR COMPENSATION  
AND REIMBURSEMENT OF EXPENSES**

Frank/Gecker LLP ("F/G"), counsel to Frances Gecker, the Chapter 7 Trustee (the "Trustee"), of the estate of Campbell Tiu Campbell (the "Debtor"), hereby submits this second and final application (the "Application") pursuant to 11 U.S.C. §§330, 331 and 507(a)(1) for legal services performed and expenses incurred during the period October 1, 2007 through and including September 20, 2011 (the "Application Period"), as counsel to the Trustee. In support of the Application, F/G respectfully represents as follows:

**INTRODUCTION**

1. The Debtor was a professional architectural firm that designed buildings throughout the Chicago area.
2. On August 15, 2006 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the "Case").
3. On December 7, 2006, the Case was converted to a case under Chapter 7 of Title 11 of the Bankruptcy Code.

4. On December 7, 2006, Frances Gecker was appointed as Trustee in the Debtor's Chapter 7 bankruptcy case.

5. On January 9, 2007, this Court entered an order authorizing Ms. Gecker to retain Frank/Gecker LLP ("F/G") and Mr. Zielinski as her counsel retroactive to December 7, 2006.

#### **ADMINISTRATION OF THE ESTATE**

6. Since her appointment, with the assistance of her attorneys, Ms. Gecker has taken numerous actions necessary to administer the Debtor's estate including: (i) investigating and selling the Debtor's assets; (ii) collecting the Debtor's outstanding accounts receivable; (iii) settling with C&C Communications, regarding the removal of the Debtor's property; (iv) settling with Parkside Associates regarding the Debtor's contractual rights; (v) settling with Goody Clancy Associates regarding the Debtor's contractual rights; (vi) settling an insurance claim against St. Paul Fire and Marine Insurance Company ("St. Paul"); (vii) settling an insurance claim against United States Fidelity and Guaranty Company ("USF&G"); (viii) settling and paying a secured claim to Citibank F.S.B; and (ix) resolving Zurich Insurance policy issues.

7. The Trustee recovered the following funds during the administration of the case:

| <b><u>Trustee's Actions</u></b> | <b><u>Amount Recovered</u></b> |
|---------------------------------|--------------------------------|
| <u>Sale of Debtor's Assets</u>  | \$9,736.02                     |
| <u>Accounts Receivable</u>      | \$36,382.74                    |
| <u>C&amp;C Communications</u>   | \$2,000.00                     |
| <u>Parkside Associates</u>      | \$6,500.00                     |
| <u>Goody Clancy Settlement</u>  | \$76,350.00 <sup>1</sup>       |
| <u>St. Paul Settlement</u>      | \$21,243.25                    |
| <u>USF&amp;G Settlement</u>     | \$25,000.00                    |
| <u>Zurich Sale</u>              | \$10,000.00                    |
| <b>TOTAL</b>                    | <b>\$187,212.01</b>            |

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<sup>1</sup> The Settlement Agreement with Goody Clancy has been approved by the Court, but as of the date of this motion payment has not yet been received.

8. This fee application only seeks the allowance of the fees and expenses incurred directly by F/G from October 1, 2007 through and including September 20, 2011. To aid the Court in its review of this application, the Trustee's counsel has divided this application into three parts. Part I describes the practical and legal issues encountered by the Trustee's counsel, and actions taken and results obtained by counsel. Part II describes the qualifications and areas of expertise of the Trustee's attorneys. Part III describes the manner in which fees and expenses were calculated by the Trustee's attorneys.

**I. SERVICES PERFORMED**

**A. Administration \$245.00**

F/G spent .80 hours at a cost of \$245.00 on issues relating to case administration including reviewing tax returns prepared by Trustee's Accountant; and research regarding matters related to settlement of death cases against architects.

**B. Fee Applications \$566.50**

F/G spent 2.10 hours at a cost of \$566.50 on the preparation of the second and final fee applications of F/G and Trustee's Accountant.

**C. Sale of Assets \$605.00**

F/G spent 2.20 hours at a cost of \$605.00 on issues relating to the negotiation, settlement and sale of the insurance policy interest to Zurich American Insurance Company for \$10,000.00.

**II. ATTORNEYS PROVIDING SERVICES FOR THIS ESTATE**

Zane L. Zielinski (ZLZ) is an associate at Frank/Gecker LLP. Mr. Zielinski is a 2002 graduate of Chicago-Kent College of Law, where he was a member of the Editorial Board of the Chicago-Kent Law Review and was elected to the Order of the Coif. Mr. Zielinski specializes in bankruptcy law and has represented trustees, debtors and creditors in bankruptcy cases.

### **III. CALCULATION OF TIME AND FEES**

This is the first application of F/G for compensation and reimbursement of fees and expenses of F/G.

This fee application applies only to fees and expenses incurred by F/G from October 1, 2007 through and including September 20, 2011. All professional services for which compensation is requested herein, and all reimbursement for expenses incurred, have been for services directly related to the case and were rendered for the benefit of the Trustee and the Debtor's estate. No agreement or understanding exists between F/G and any other person for the sharing of compensation received or to be received in connection with this case, other than as disclosed or authorized pursuant to 11 U.S.C. §§ 327, 328, 330 and 331.

As set forth in the attached exhibits, F/G's attorneys and paralegal have spent a total of 5.10 hours providing necessary legal services for the Trustee. As a result, they request compensation in the amount of \$1,416.50 for actual, necessary legal services performed (Exhibit A). The average hourly rate is \$277.00. In addition, F/G has expended the sum of \$91.30 for actual, necessary expenses incurred in representing the Trustee (Exhibit B). F/G has voluntarily written off all expenses related to fax and copying charges, only charging for off-site copying charges when incurred.

In preparing this fee application, F/G has calculated the amount of time spent by each attorney and paralegal in performing actual, necessary legal services for the Trustee. The data used came directly from computer printouts of data which is kept by Frank/Gecker LLP on each of its clients. The hourly rates charged are the regular hourly rates charged by the firm to its clients. F/G worked to avoid any duplication of effort, and in instances where more than one

attorney billed for a project, there was a need for multiple attorneys' involvement or the time of one of the attorneys was voluntarily written off.

To aid the Court in its review of this material, F/G has prepared its time exhibits by topic as presented in the attached Exhibit A. For purposes of this Application, counsel has used three categories. Most of these categories are substantive. The time entries cover all work performed by F/G regardless of whether it was office conferences, telephone conferences, research or some other type of work.

Counsel also incurred out-of-pocket expenses which are listed in the attached Exhibit B. The expenses incurred during this period were primarily postage and messenger costs. These charges fairly compensate the firm's actual costs and do not result in undue revenue for the firm. Moreover, F/G's non-bankruptcy clients routinely are billed and pay these types of expenses. *See In re Continental Securities Litigation*, 962 F.2d 566, 570 (7th Cir. 1992). F/G does not bill its clients or seek compensation in this fee application for its overhead expenses, including word processing, computer research charges, fax charges, phone charges or secretarial overtime, instead, such expenses are factored into F/G's normal and customary rate.

No compensation has been promised to F/G, other than as disclosed or approved by this Court. F/G certifies that there is no agreement between the firm and any other party regarding the sharing of fees except with the firm's partners, nor has the firm discussed or negotiated the amount of its fees with any party except the Trustee. Finally, F/G represents that it is and remains a disinterested party and does not hold any relationship adverse to the estate.

WHEREFORE, Frank/Gecker LLP respectfully requests that this Court enter an Order:

- A. Allowing Frank/Gecker LLP compensation for actual, necessary legal services in the amount of \$1,416.50;
- B. Allowing Frank/Gecker LLP reimbursement of actual, necessary expenses in the amount of \$91.30;
- C. Authorizing the Trustee to pay Frank/Gecker LLP compensation and expense reimbursement in the total amount of \$1,507.80;
- D. Approving the limited notice of the Application; and
- E. Granting such other relief as the Court deems just and equitable.

Dated: September 20, 2011

Respectfully submitted,

FRANCES GECKER, not individually, but as  
Chapter 7 Trustee for the estate of  
CAMPBELL TIU CAMPBELL, INC.

By: /s/ Zane L. Zielinski  
One of her attorneys

Zane L. Zielinski (IL ARDC #6278776)  
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